

**TERMINAL DISCLAIMER TO AVOID A DOUBLE PATENTING****REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

12860B-CON

In re Application of: Wang et al.

Application No.: 10/758,621

Filed: January 14, 2004

For: Carbon Nanotube-Containing Catalysts, Methods Of Making, And Reactions Catalyzed Over Nanotube Catalysts

The owner\*, Battelle Memorial Institute, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,713,519. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record.

Frank Rosenberg 31 May 2005  
Signature Date

Frank Rosenberg

Typed or printed name

925-376-8416

Telephone Number

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